

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, February 1, 2000, 9:30 AM

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CHARLES V. SMITH
CHAIRMAN
First District

JAMES W. SILVA
VICE CHAIRMAN
Second District

TODD SPITZER
SUPERVISOR
Third District

CYNTHIA P. COAD
SUPERVISOR
Fourth District

THOMAS W. WILSON
SUPERVISOR
Fifth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT: COUNTY EXECUTIVE OFFICER Janice M. Mittermeier
COUNTY COUNSEL Laurence M. Watson
CLERK OF THE BOARD Darlene J. Bloom

INVOCATION: Supervisor Silva, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Coad, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Smith will present a check to Alison Driessen, Maternal Outreach Management System
CONTINUED TO 2/8/00, 9:30 a.m.

Supervisor Wilson recognized Peter and Mary Muth for their contributions to Orange County

Supervisor Coad - Presentation by Social Services Agency/Health Care Agency on Child Abandonment in Orange County

II. CONSENT CALENDAR (Items 1-22)

53241 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 21 WHICH WAS
CONTINUED TO 2/8/00, 9:30 A.M. AND ITEM 22 WHICH RECEIVED A NO VOTE FROM
SUPERVISOR SILVA**

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BOARD APPOINTMENTS

Chairman Smith:

- 1 . Protocol Commission - Appoint Julia W. Rappaport, Santa Ana, to complete term ending 6/14/00
- 2 . Protocol Commission - Appoint Brendan Savage, Westminster, to complete term ending 4/30/01
- 3 . **Supervisor Spitzer** - Developmental Disabilities Board - Area XI - Reappoint Barbara Bromley, Tustin, for term ending 6/18/02
- 4 . **Supervisor Wilson** - Coto De Caza Specific Plan - Reappoint Dick Kaiser, Coto de Caza, for term ending 12/31/01

COMMENDATIONS/PROCLAMATIONS

Chairman Smith:

- 5 . Adopt resolution congratulating Fountain Valley High School on winning the 1999 Mock Trial Championship R00-21
- 6 . Adopt resolution congratulating Los Amigos High School for being the runner-up team in 1999 Mock Trial competition R00-22

Supervisor Wilson:

- 7 . Adopt resolution commending Irvine High School Mighty Marching Vaqueros Band upon its selection to represent our county and country during the opening ceremonies of XXVII Olympiad in Sydney, Australia R00-23
- 8 . Adopt resolution commending American Turkish Association of Southern California for its dedication and service R00-24

ORANGE COUNTY PUBLIC LIBRARY

- 9 . Approve agreement with City of La Palma for structural modifications/renovations/improvements and other services for library facility (\$40,000) - District 4

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

Acting as the Orange County Flood Control District:

- 10 . Approve agreement with and execution of quitclaim deed to John and Virginia Neal for sale of 405-square foot district owned parcel of surplus real property, Brea Creek Channel, Buena Park; and make California Environmental Quality Act and other findings - District 4

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11. Adopt resolution vacating slope easement adjacent to San Juan Creek Channel, San Juan Capistrano; and make California Environmental Quality Act findings - District 5
R00-25

SOCIAL SERVICES AGENCY

12. Approve agreement CDW1899 with Regional Center of Orange County for assessment, screening and referral services for developmentally delayed children, 10/1/99 - 7/31/00 (\$50,000) - All Districts

PUBLIC PROTECTION

13. **District Attorney** - Approve purchase of projection equipment from GBH Distributing for court presentation and in-house training (\$12,072) - All Districts

Probation:

14. Approve price agreement N1000002146 with Rapidtext, Inc. for professional transcription services, 2/1/00 - 1/31/01 (\$25,000); renewable for two additional years - All Districts
15. Approve submission of application and report to U.S. Department of Agriculture-Forest Service for continued use of Los Pinos Conservation Camp - District 5
16. **Sheriff-Coroner** - Approve price agreement N1000002482 with Full Spectrum Analytics, Inc. for maintenance of chromatographic hardware, 2/1/00 - 1/31/03 (\$147,744); renewable for two additional years - All Districts

GENERAL ADMINISTRATION

Auditor-Controller:

17. Approve schedule of County fixed assets physical inventory dates for calendar years 2000 and 2001 - All Districts
18. Receive and file New and Closed Fund/Agency Semi-Annual Report, 7/1/99 - 12/31/99 - All Districts

County Executive Office

19. Adopt resolution approving standards for utilization of volunteers including reimbursements for out-of-pocket expenses and rescind Resolutions 73-1356 and 74-152 - All Districts
R00-26
20. **Acting as the Orange County Development Agency** - Approve and file FY 1998-99 Annual Report - All Districts

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21. **Chairman Smith** - Authorize Chairman to send letter to California Transportation Commission regarding CenterLine Rail Project access to John Wayne Airport and utilization of Irvine's Allocation of Proposition 116 funds

53241 **CONTINUED TO 2/8/00, 9:30 A.M.**

22. **Supervisor Spitzer** - Approve Community Social Program Grant fund to The Gary Center; approve budget adjustments and make appropriate findings, 2/1/00 - 6/30/00 (\$2,500)

53241 **APPROVED AS RECOMMENDED**
N

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 23-S30A)

HEALTH CARE AGENCY

23. Approve amendment 2 to agreement with A.S. Foundation/Orange County (\$143,500; new total \$1,426,392); approve amended agreements with Gay and Lesbian Community Services Center (\$7,100; new total \$259,464) and Public Law Center (\$4,100; new total \$79,100) for various HIV services - All Districts

53241 **APPROVED AS RECOMMENDED**

24. Approve amendment 3 to agreement with Southern California Alcohol and Drug Programs, Inc. for perinatal substance abuse residential treatment services, FYs 1998/00 (\$685,218; new total \$1,872,053) - All Districts

43251 **APPROVED AS RECOMMENDED**

INTEGRATED WASTE MANAGEMENT DEPARTMENT

25. Approve amendment 3 to agreement with GeoSyntec Consultants for multi-disciplined on-call support services, 2/10/00 - 2/9/01 (\$1,100,000) - All Districts

32451 **APPROVED AS RECOMMENDED**

26. Receive bids and award contract to Macro-Z-Technology Company for water supply system improvements, Olinda Alpha Landfill (\$514,400) - District 3

35241 **APPROVED AS RECOMMENDED**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

27. Select Robert Bein, William Frost & Associates, Johnson-Frank & Associates and Hunsaker and Associates, Irvine, Inc. as primary and Psomas, Huitt-Zollars and The Keith Companies as alternate architectural-engineering firms for on-call surveying services; and authorize negotiation of agreements for Board approval - All Districts

53241 **APPROVED AS RECOMMENDED**

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PUBLIC PROTECTION

28. **Sheriff-Coroner** - Approve submission of grant application to U.S. Department of Justice and accept funds for Community Oriented Policing Services School-Based Partnerships 1999 Grant Award and Special Condition (\$151,826) - All Districts

24351 APPROVED AS RECOMMENDED

GENERAL ADMINISTRATION

29. **County Counsel** - Second reading and adoption of "An Ordinance Amending Article 3, Noise, Sections 2-1-30.2 - .5; 2-1-30.10; and 2-1-30.13 - .16 of the Codified Ordinances of Orange County Pertaining to Noise Regulation and Decibel (dB) Limitations and Adding Ordinance Section 2-1-67" - District 5 (Continued from 12/14/99, Item 40 and 1/11/00, Item 94; first reading; 1/24/00, Item 38)

53241 **APPROVED AS RECOMMENDED**

O00-1

30. **County Executive Office** - Approve FY 1999-00 Second Quarter Budget Report, make related budget adjustments, amend master position control and approve recommendations for use of Public Safety Tax funds - All Districts (4/5 vote)

53241 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

- S30A. **District Attorney** - Approve price agreement F2000000221 with The Enlarger for color enlargement services ending 1/31/00 (\$7,500; new total \$22,500); renewable for one year - All Districts

42351 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (none scheduled)

V. CLOSED SESSION (Items CS-1-SCS3)

GENERAL ADMINISTRATION

County Counsel:

- CS-1 . CONFERENCE WITH LEGAL COUNSEL -- PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: Barratt American, Inc. et. al v. County of Orange, et. al, Orange County Superior Court No. 814037 - All Districts

B.O. **HELD; NO REPORTABLE ACTION**

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- CS-2. CONFERENCE WITH LEGAL COUNSEL -- PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: San Diego Regional Water Quality Control Board Cleanup and Abatement Order No. 99-211 Proceeding - All Districts
- B.O. **HELD; THE CHAIRMAN REPORTED THE FOLLOWING: PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a), THE BOARD MET IN CLOSED SESSION WITH LEGAL COUNSEL TO DISCUSS THE CASE LISTED AS ITEM CS2 ON TODAY'S AGENDA. BY UNANIMOUS VOTE, THE BOARD AUTHORIZED THE DIRECTOR OF THE PUBLIC FACILITIES AND RESOURCES DEPARTMENT TO JOIN WITH THE CITY OF LAGUNA NIGUEL IN FILING AN ADMINISTRATIVE APPEAL OF THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD CLEANUP AND ABATEMENT ORDER NO. 99-211**
- SCS3. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The cases are: Marvin Alexander Martin v. County of Orange (nonlitigated case), File No. 98-625; Rose Mary Yarak v. County of Orange Workers' Compensation Case No. AHM 0074077; Jose De La Rosa v. County of Orange, Workers' Compensation Case No. AHM 061472; Sin Kim v. County of Orange, Workers' Compensation Case Nos. LAQ 0710795, 0710707, 0710798 - All Districts
- B.O. **HELD; THE CHAIRMAN REPORTED THE FOLLOWING: PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a), THE BOARD MET IN CLOSED SESSION WITH LEGAL COUNSEL TO DISCUSS THE CASES LISTED AS ITEM SCS3 ON TODAY'S AGENDA. BY UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED SETTLEMENTS OF THE MARVIN ALEXANDER MARTIN CLAIM IN THE AMOUNT OF \$90,000 AND CASES ENTITLED ROSE MARY YARAK vs. COUNT OF ORANGE, JOSE DE LA ROSA vs. COUNTY OF ORANGE AND SIN KIM vs. COUNTY OF ORANGE. THE PROPOSED SETTLEMENTS REMAIN SUBJECT TO FINAL APPROVAL OF THE WORKERS' COMPENSATION APPEALS BOARD. AS SOON AS THE PROPOSED SETTLEMENTS BECOME FINAL, THE SUBSTANCE OF THE AGREEMENTS WILL BE MADE AVAILABLE, IN THE OFFICE OF THE CLERK OF THE BOARD, TO ANY PERSON WHO INQUIRES.**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Charles Griffin - Oral RE: Irvine Co. response to his proposed runway reconfiguration

Ray Allen, Mark Henning and Dennis Copp - Oral RE: Concerns re: Board approval of Project Labor Agreement

Pat Harrigan - Oral RE: Presented League of Woman Voters' State Ballot Measure Recap

BOARD COMMENTS:

None

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ADJOURNED 11:17 AM

31245 Adjourned in memory of Vivienne Root

13245 Adjourned in memory of Tram Tu Thieng

*** KEY ***

Left Margin Notes

- 1. v Chairman Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Supervisor Coad
- 5. v Supervisor Wilson

- A. v Abstained
- X. v Excused
- N. v No
- BO v Board Order

Right Margin Notes

- O. v Ordinance
- R. v Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CHARLES V. SMITH, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board